

SEALED BY ORDER
OF COURT 19

00159

EJD

UNITED STATES DISTRICT COURT

NC

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

DANIEL REYES RUIZ

FILED
APR 04 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

INDICTMENT

COUNT ONE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer Intrusion)

COUNT TWO: (18 U.S.C. §§ 2511(1)(a) and (4)(a) – Interception of Wire or Electronic Communications)

A true bill.


Foreperson

Filed in open court this 4 day of April
A.D. 2019



United States Magistrate Judge

Bail. \$ Summons with return date of April 10, 2019



SEALED BY ORDER
OF COURT

FILED

APR 04 2019
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

DAVID L. ANDERSON (CABN 149604)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL REYES RUIZ,

Defendant.

CR 19 00159

VIOLATIONS: Title 18, United States Code,
Sections 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer
Intrusion to Obtain Private Information; Title 18
United States Code, Sections 2511(1)(a) and (4)(a) –
Interception of Wire or Electronic Communications

[UNDER SEAL]

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer Intrusion)

Beginning on or about May 18, 2018 and continuing to approximately June 20, 2018, within the
Northern District of California, and elsewhere, the defendant,

DANIEL REYES RUIZ,

intentionally accessed a protected computer used in interstate and foreign commerce without
authorization and exceeding authorized access, and thereby obtained information from a protected
computer, and the offense was committed in furtherance of a criminal and tortious act in violation of the
laws of the United States and the State of California, that is, defendant used the internet to access at least
18 separate email accounts without the knowledge or consent of the owner and thereby obtained

INDICTMENT

personal information, including private photographs and videos, which defendant downloaded and kept for his own purposes, in violation of 18 U.S.C. §§ 1030(a)(2) and (c)(2)(B)(ii).

COUNT TWO: (18 U.S.C. §§ 2511(1)(a) and (4)(a) – Interception of Wire or Electronic Communications)

On or about June 20, 2018, within the Northern District of California, and elsewhere, the defendant,

DANIEL REYES RUIZ,

intentionally intercepted and endeavored to intercept, wire and electronic communications; that is, the defendant intercepted and endeavored to intercept electronic mail messages on approximately 37 separate Yahoo/Oath email accounts, without the knowledge or consent of the users of those accounts, all in violation of 18 U.S.C. §§ 2511(1)(a) and (4)(a).

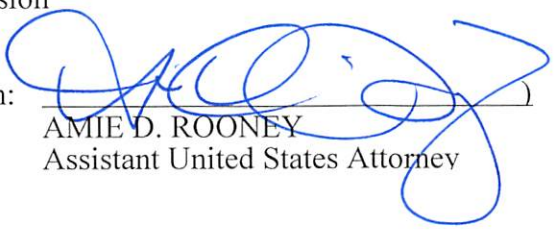
DATED: 4-4-19

A TRUE BILL.


FOREPERSON
San Jose

DAVID L. ANDERSON
United States Attorney

 FOR:
HALLIE HOFFMAN
Chief, Criminal Division

(Approved as to form: 

AMIE D. ROONEY
Assistant United States Attorney

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

Count One: 18 U.S.C. §§ 1030(a)(2) and (c)(2)(B)(iii) B –
Computer Intrusion to Obtain Information

Count Two: 18 U.S.C. §§ 2511(1)(a) and (4)(a) -- Interception
of Wire or Electronic Communications

☐ Petty
☐ Minor
☐ Misdemeanor
☒ **Felony**

PENALTY: Five years imprisonment, \$250,000 fine, three years supervised
release, and \$100 special assessment.

CR 19

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

DANIEL REYES RUIZ

DISTRICT COURT NUMBER

00159
FILED
APR 04 2019
CLERK, SUSAN Y. SOONG
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome of this proceeding.

1) ☒ If not detained give date any prior
summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
been filed? ☐ No

If "Yes"
give date
filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Noelle Gotthardt

☐ person is awaiting trial in another Federal or State Court,
give name of court

☐ this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
charges previously dismissed
which were dismissed on motion
of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

☐ this prosecution relates to a
pending case involving this same
defendant

MAGISTRATE
CASE NO.

☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

Name and Office of Person

Furnishing Information on this form DAVID L. ANDERSON

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) AMIE D. ROONEY

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount:

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or
warrant needed, since Magistrate has scheduled arraignment

Date/Time: April 12, 2019, 1:30 p.m. Before Judge: Virginia K. DeMarchi

Comments:

**SEAL BY ORDER
OF COURT**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
APR 04 2019

CRIMINAL COVER SHEET

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE, CALIFORNIA

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted along with the Defendant Information Form, for each new criminal case.

CASE NAME:

CASE NUMBER:

USA v. DANIEL REYES RUIZ

CR 19 00159

Is This Case Under Seal?

Yes ☒ No

Total Number of Defendants:

1 ☒ 2-7

8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes

No ☒

Venue (Per Crim. L.R. 18-1):

SF

OAK

SJ ☒

Is this a potential high-cost case?

Yes

No ☒

Is any defendant charged with a death-penalty-eligible crime?

Yes

No ☒

Is this a RICO Act gang case?

Yes

No ☒

Assigned AUSA

(Lead Attorney): Amie D. Rooney

Date Submitted: April 4, 2019

Comments:

EJD
NC